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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) Case No.:2:15-mj-00653-CWH
Plaintiff,)
vs.)
JOHN JOSEPH FISCHKELTA,) STIPULATION TO CONTINUE
Defendant.) BENCH TRIAL
) (2nd Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Nadia Ahmed, Special Assistant United States Attorney, counsel for the United States of America, and Terry Jones, Esq., counsel for defendant **JOHN JOSEPH FISCHKELTA**, that the bench trial in the above-captioned matter, currently scheduled for April 6, 2016, at the hour of 9:00 a.m., be vacated and continued for sixty (60) days or to a date and time convenient to the Court.

This stipulation is entered into for the following reasons:

1. The parties are in the process of negotiating a resolution of the case that would obviate the need for trial. The parties need additional time to do so.

2. Defendant is out of federal custody and agrees to the continuance.

3. Denial of this request for a trial continuance would prejudice both the Defendants and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation, is excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and 3161(h)(8)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(I) and (iv).

6. This is the second request for continuance of the trial; however, it is the first request for a continuance made by the Defendant.

DATED this ____ day of April, 2016.

Respectfully submitted,

DANIEL G. BOGDEN
United States Attorney

/s/
NADIA AHMED
Special Assistant United States Attorney

____/s/____
TERRY JONES, ESQ.
Counsel for defendant
JOHN JOSEPH FISCHKELTA

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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,) Case No: 2:15-MJ-00653-CWH
9 Plaintiff,)
10 vs.)
11 JOHN JOSEPH FISCHKELTA,)
12 Defendant.)
13

14 Based on the pending stipulation of counsel, and good cause appearing therefore,:
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16 IT IS HEREBY ORDERED that the bench trial in the above-captioned matter currently
scheduled for April 6, 2016, at the hour of 9:00 a.m., be vacated and continued to _____

17 June 15, 2016, at the hour of 9:00 a.m.

18 DATED this 7th day of April, 2016.

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UNITED STATES MAGISTRATE JUDGE

